

Amendment No. 1 to SB0301

Briggs  
Signature of Sponsor

**AMEND Senate Bill No. 301**

**House Bill No. 327\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 5, Chapter 5, Part 1, is amended by adding the following as a new section:

(a)

(1) Notwithstanding title 8, chapter 44, part 1 and § 5-5-106, a member of a county legislative body may participate in a scheduled commission meeting by electronic means, including, but not limited to, videoconferencing or other web-based media, only for the following reasons:

(A) The commissioner is required to be out of the county for the commissioner's work;

(B) The commissioner is dealing with a family or medical emergency as determined by the county legislative body; or

(C) The commissioner has been called into military service.

(2) A commissioner who is absent shall only participate if the commissioner can be visually identified by the chair.

(b) A county legislative body shall not conduct a commission meeting with electronic participation unless a quorum of commissioners is present at the physical location of the meeting. No more than three (3) members or twenty percent (20%) of the total membership of the legislative body, whichever is greater, may participate electronically.

(c) A commissioner wishing to participate in a scheduled commission meeting electronically who is or will be out of the county because of work shall give the chair at least five-days' notice prior to the scheduled meeting of the commissioner's intention to participate electronically.

(d) A commissioner shall not participate electronically in commission meetings more than two (2) times per year; provided, that this limitation does not apply to a commissioner who is absent due to military service.

(e)

(1) All meetings of a legislative body conducted by electronic means under this section must remain open and accessible to the public by providing real-time, live audio or video access to the public.

(2) A clear audio or video recording of the meeting must be made available to the public as soon as practicable following the meeting, and in no event more than two (2) business days after the meeting.

(3) In the public notice required by § 8-44-103, the county legislative body shall provide information regarding how the public can obtain real-time, live access to, or broadcast of, the meeting, and the legislative body is strongly urged to provide an agenda for the meeting in such notice.

(f) The county legislative body shall develop a policy for conducting meetings with electronic participation.

SECTION 2. Tennessee Code Annotated, Title 6, Chapter 54, Part 1, is amended by adding the following as a new section:

(a)

(1) Notwithstanding title 8, chapter 44, part 1 or any private act, home rule, or general law charter to the contrary, a member of a municipal legislative body may participate in a scheduled legislative body meeting by electronic

means, including, but not limited to, videoconferencing or other web-based media, only for the following reasons:

(A) The municipal legislative body member is required to be out of the municipality due to the member's work;

(B) The municipal legislative body member is dealing with a family or medical emergency as determined by the municipal legislative body; or

(C) The municipal legislative body member has been called into military service.

(2) A municipal legislative body member who is absent shall only participate in a meeting through electronic means if the member can be visually identified by the chair.

(b) A municipal legislative body shall not conduct a meeting that includes electronic participation unless a quorum of the municipal legislative body is present at the physical location of the meeting. No more than three (3) members or twenty percent (20%) of the total membership of the legislative body, whichever is greater, may participate electronically.

(c) A municipal legislative body member wishing to participate in a scheduled meeting electronically who is or will be out of the county because of work shall give the chair at least five-days' notice prior to the scheduled meeting of the member's intention to participate electronically.

(d) A municipal legislative body member shall not participate electronically in meetings more than two (2) times per year; provided, that this limitation does not apply to a member who is absent due to military service.

(e)

(1) All meetings of a legislative body conducted by electronic means under this section must remain open and accessible to the public by providing real-time, live audio or video access to the public.

(2) A clear audio or video recording of the meeting must be made available to the public as soon as practicable following the meeting, and in no event more than two (2) business days after the meeting.

(3) In the public notice required by § 8-44-103, the municipal legislative body shall provide information regarding how the public can obtain real-time, live access to, or broadcast of, the meeting, and the legislative body is strongly urged to provide an agenda for the meeting in such notice.

(f) The municipal legislative body shall develop a policy for conducting meetings that include electronic participation.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

This act is repealed July 1, 2023, the public welfare requiring it.